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2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA

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6 ANTHONY BUTLER,

Case No. 3:20-cv-00560-MMD-WGC

7 Petitioner,

ORDER

8 v.

9 W. GITTERE, *et al.*,

10 Respondents.
11

12 This habeas matter is before the Court on Petitioner Anthony Butler's Motion to
13 Stay Case. (ECF No. 16.) Respondents filed a non-opposition. (ECF No. 17.)

14 Petitioner challenges a 2012 conviction and sentence imposed by the Eighth
15 Judicial District Court for Clark County. Petitioner previously challenged this same
16 judgment of conviction in federal court. *See Butler v. State of Nevada*, Case No.: 2:12-cv-
17 01682-MMD-GWF (D. Nev. Filed Sept. 25, 2012). In the 2012 case, Petitioner filed his
18 petition before the state court issued the judgment of conviction, and the Court dismissed
19 his petition as fully unexhausted. *See id.* at ECF No. 4. In June 2021, Petitioner filed a
20 motion for relief from final judgment based on *Mena v. Long*, 813 F.3d 907, 912 (9th Cir.
21 2016). *See id.* at ECF No. 9.

22 Petitioner requests a stay in this action pending a ruling on his motion for relief from
23 final judgment in the 2012 case. He further represents that the resolution of the motion for
24 relief affects the nature and substance of his amended petition in this matter. The Court
25 finds that a stay is warranted and will administratively close this action. Within 30 days of
26 the entry of an order regarding Petitioner's motion for relief from final judgment in his 2012
27 case, he may file a motion to reopen this action.

28 It is therefore ordered that Petitioner Anthony Butler's Motion to Stay Case (ECF

1 No. 16) is granted.

2 The Clerk of Court is directed to administratively close this action until such time as
3 the Court grants a motion to reopen the action.

4 DATED THIS 6th Day of July 2021.

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9 MIRANDA M. DU
10 CHIEF UNITED STATES DISTRICT JUDGE
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